

EXHIBIT

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Patrick Murphy

From: Paula Colbath <pcolbath@loeb.com>
Sent: Wednesday, May 8, 2024 2:20 PM
To: Patrick Murphy; Marc Gottlieb; Khale J. Lenhart; Maribel Gill
Cc: Sean Larson; MineOne-BCB; Scott C. Murray
Subject: RE: BCB -- Conferral Request about Tim Desrochers' Filings

Thank you for your summary. The MineOne Defendants agree to the below. This will also confirm our meet and confer for tomorrow at 1pm(MT)/3pm(EST) on other issues.

From: Patrick Murphy <pmurphy@wpdn.net>
Sent: Wednesday, May 8, 2024 3:57 PM
To: Paula Colbath <pcolbath@loeb.com>; Marc Gottlieb <msg@orllp.legal>; Khale J. Lenhart <KLenhart@hirstapplegate.com>; Maribel Gill <mgill@loeb.com>
Cc: Sean Larson <slarson@hkwyolaw.com>; MineOne-BCB <MineOne-BCB@loeb.com>; Scott C. Murray <smurray@wpdn.net>
Subject: RE: BCB -- Conferral Request about Tim Desrochers' Filings

Dear Paula, Marc and Sean:

Thank you for joining me just now on our conferral call about BCB's [proposed] Motion to have all parties file all their Tim Desrochers' documents and briefs as "non-public" documents pursuant to the Court's 12/6/24 Stipulated Protective Order and Rule 5.1(g), U.S.D.C.L.R.

You expressed your concern with my "CONFIDENTIAL – ATTORNEYS' EYES ONLY" designation at the beginning of Tim Desrochers' 4/23/24 deposition. You felt it is more appropriate to have a mere "CONFIDENTIAL" designation for Tim's deposition, Tim's exhibits, and the parties' domicile Memoranda and filings. You said you would not oppose BCB's forthcoming motion to have these Tim Desrochers' papers and briefing filed as "non-public" documents if BCB would relent on its "CONFIDENTIAL – ATTORNEYS EYES ONLY" designation and re-designate Tim's deposition transcript and deposition exhibits as "CONFIDENTIAL" documents.

I concur with your request, Paula and Marc. With this e-mail, please be advised that BCB and Tim Desrochers are re-designating Tim Desrochers' entire deposition, all of Tim's deposition exhibits, and the Parties' forthcoming domicile Memoranda and any other domicile documents, as "CONFIDENTIAL" documents pursuant to the Court's 12/6/23 Stipulated Protective Order [ECF 74].

In exchange for this re-designation, each of you agreed that you would "not oppose" my request and BCB's forthcoming Motion that everything be filed as "non-public" documents under Rule 5.1(g). In fact, you thought that was a good idea. And that I may so state in the Motion when I file it this afternoon.

Finally, while this is not pertinent to the Motion, you told me you would be filing more than one domicile brief on Friday, May 10. My [new] understanding is that the MineOne/Terra Crypto Defendants will filing their own Memorandum on Friday (May 10), and Bit Origin/SonicHash will be filing its own Memorandum. Without Khale Lenhardt on our Zoom conferral call today, I didn't learn whether Bitmain Georgia would be filing its own domicile Memorandum. So that's at least two, if not three, domicile Memoranda from Defendants. I [again] shared with you that I will be prepared to file BCB's 25-page Response Memorandum by next Monday or Tuesday, but, if Defendants file multiple Memoranda – which

you just advised me you will – then I will need until next Friday’s deadline, May 17, to file whatever additional Memorandum(a) are needed to adequately respond to your clients’ various Memoranda.

Thank you for our good conferral call today, everyone. I enjoyed seeing and visiting with all of you. I’m going to attach this newest 5/8/24 conferral e-mail to my Motion (so the Court can see our productive conferral). But I will not be filing the entire e-mail string which preceded our conferral call just now. No need to burden the Court with all of that.

Pat Murphy
Counsel for BCB and for Tim Desrochers



Patrick J. Murphy

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From: Paula Colbath <pcolbath@loeb.com>
Sent: Wednesday, May 8, 2024 1:06 PM
To: Marc Gottlieb <msg@orllp.legal>; Patrick Murphy <pmurphy@wpdn.net>; Khale J. Lenhart <KLenhart@hirstapplegate.com>; Maribel Gill <mgill@loeb.com>
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I've asked my assistant to send it, so I'm not sure why it has not gone out.

Alex, David, Sarah: Could one of you circulate a Zoom link to all counsel?

Paula

From: Marc Gottlieb <msg@orllp.legal>
Sent: Wednesday, May 8, 2024 3:04 PM
To: Paula Colbath <pcolbath@loeb.com>; Patrick Murphy <pmurphy@wpdn.net>; Khale J. Lenhart <KLenhart@hirstapplegate.com>; Maribel Gill <mgill@loeb.com>
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